

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:09-CR-353-1BO

EBONY MARIE JUDD,
Petitioner,

v.

UNITED STATES,
Respondent.


ORDER

This matter is before the Court on Petitioner's Motion claiming ineffective assistance of counsel and requesting new counsel. (DE # 64). The Motion was filed on June 13, 2011.

On April 6, 2010, Defendant was sentenced to 81 months imprisonment after pleading guilty, pursuant to a written plea agreement, to one count of 18 U.S.C. §1951 (Hobbs Act Robbery) and one count of 18 U.S.C. §371 (conspiracy to commit bank robbery).

Notice is hereby given to the Petitioner that the Court intends to construe Petitioner's Motion as a Motion to Vacate, Set Aside or Correct a Sentence pursuant to 28 U.S.C. § 2255, pursuant to Castro v. United States, 540 U.S. 375, 377, 383 (2003). The Court warns the Petitioner of the effects of filing a motion pursuant to § 2255 and advises her as to the requirements of § 2255. If the Petitioner does not wish his Motion to be construed as a § 2255 motion, the Petitioner must withdraw or sufficiently amend this Motion within sixty (60) days of this Order's entry.

SO ORDERED, this 26 day of ~~May~~^{June}, 2011.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE